

## County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration 500 West Temple Street, Room 713, Los Angeles, California 90012 (213) 974-1101 http://ceo.lacounty.gov

April 5, 2011

**BOARD OF SUPERVISORS** COUNTY OF LOS ANGELES

Sachi a. Hamai

EXECUTIVE OFFICER

SET FOR HEARING MAY 10, 2011

ADOPTED

Board of Supervisors **GLORIA MOLINA** 

MARK RIDLEY-THOMAS Second District ZEV YAROSLAVSKY

MICHAEL D. ANTONOVICH

First District

Third District DON KNARE

Fourth District

Fifth District

#9 of APRIL 5, 2011

Dear Supervisors:

County of Los Angeles

500 West Temple Street

Los Angeles, California 90012

The Honorable Board of Supervisors

383 Kenneth Hahn Hall of Administration

RESOLUTION TO CONSIDER A PROPOSED BOUNDARY CHANGE BETWEEN THE COUNTY OF LOS ANGELES AND THE COUNTY OF ORANGE INITIATED BY THE COUNTY OF ORANGE (FOURTH DISTRICT) (3 VOTES)

#### **SUBJECT**

This action is in response to proposed boundary changes initiated by the County of Orange affecting territory in seven (7) locations between the County of Los Angeles and the County of Orange.

#### IT IS RECOMMENDED THAT YOUR BOARD:

- 1. Adopt the resolution setting a hearing date and time before the Board to consider the proposed County boundary changes between the County of Los Angeles and the County of Orange as initiated by the County of Orange.
- 2. Instruct the Executive Officer-Clerk of the Board to publish and mail notices as required by law and as specified in the resolution.

"To Enrich Lives Through Effective And Caring Service"

3. Instruct the Chief Executive Officer and appropriate County departments to compile a report on service, facility, and financial impacts and other issues related to the proposed County boundary changes, and make recommendations on any conditions that should be imposed should the boundary change be approved.

#### IT IS RECOMMENDED THAT YOUR BOARD AFTER THE PUBLIC HEARING:

- 1. If a majority protest is filed and not withdrawn by the property owners of the affected territory, or if a protest is filed by your Board or the County of Orange Board of Supervisors, adopt a resolution abandoning the proposed boundary change; or
- 2. If there is not a majority property owner protest, and neither your Board nor the County of Orange Board of Supervisors has adopted a protest against the boundary change:
  - a. Consider and approve the Chief Executive Officer's report on service, facility, and financial impacts and other issues related to the proposed County boundary changes; and approve any recommended conditions that should be imposed should the boundary change be approved; and
  - b. Instruct County Counsel to prepare the appropriate ordinance approving the boundary change, and to submit the proposed ordinance to the Board for adoption within 30 days.

#### PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The County of Orange has initiated a minor boundary change as outlined in Resolution No. 11-028 adopted by the Orange County Board of Supervisors on March 1, 2011 (Attachment I). In response to that action, the County of Los Angeles must adopt a resolution setting a public hearing on the proposed boundary change between the County of Los Angeles and County of Orange. The affected territory consists of 77.81 acres that includes 14 parcels (36.14 acres) located in the County of Orange that would be annexed to Los Angeles County, and 21 parcels (41.67 acres) located in Los Angeles County to be annexed to the County of Orange. In 2008, a study was initiated by the County of Orange to explore the feasibility of boundary line changes that included the contiguous borders between both counties. The result of this study indicated that several service area boundaries needed clarification, including the borders affecting the cities of Long Beach (County of Los Angeles), and Los Alamitos and Seal Beach (County of Orange).

At the request of Orange County Supervisor Moorlach, the County of Los Angeles was asked to participate in the boundary change process to: amend physical barriers created by the Los Coyotes Flood Control Channel; clarify jurisdictional boundaries; and distinguish service delivery boundaries and responsibilities amongst the affected cities. It is anticipated that concurrent with and subject to the proposed boundary change, the cities of Long Beach, Los Alamitos, and Seal Beach will seek Local Agency Formation Commission (LAFCO) approval to annex and/or detach the affected territories concurrent with the completion of this boundary line change process.

#### FISCAL IMPACT/FINANCING

These boundary changes would transfer real property and property taxes between one county to another, as well as between the respective cities. A fiscal analysis of the proposed boundary change will be provided at or before the public hearing.

### FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Minor boundary changes between counties in the State of California are authorized and governed pursuant to sections 23200 to 23220 of the Government Code. The Board of Supervisors of any affected county may propose to change the boundary line between that county and another county. The minor boundary change procedure applies where, as here, the proposed boundary line change is not moved a distance of more than five miles from its original location, and where the proposed change would not reduce the area or the population of the affected counties by more than 5 percent.

The Government Code requires that when a Board of Supervisors receives a resolution from the Board of Supervisors of an adjacent county initiating a minor boundary change, that Board of Supervisors must adopt a resolution setting a date and time for a public hearing on the proposed boundary change and give the required notices of the hearing. The hearing date is required to be not less than 30 days, or more than 60 days after the date of adoption of the resolution setting the hearing. However, the hearing may be continued for up to 45 days.

At the public hearing, any person may appear and be heard, and any person desiring to protest against the proposal may file a written protest with the Board. As the affected territory is uninhabited as defined in the Government Code (less than 12 registered voters), however, only written protests by the affected counties or by the landowners in the affected territory will be tabulated to determine if the boundary change proceedings should be abandoned. At the conclusion of the hearing, the Board of Supervisors

conducting the hearing must adopt a resolution abandoning proceedings if protests have been filed and not withdrawn by 50 percent or more of the landowners who own more than 50 percent or more of the assessed value of the affected territory or a written protest is filed and not withdrawn by the Board of Supervisors of either affected county. If the proposed boundary adjustment is not abandoned, no later than 30 days after the conclusion of the public hearing, the Board of Supervisors of each county must adopt substantially similar ordinances approving the boundary adjustment.

Almost all of the territory affected by the proposed boundary changes is currently within the limits of the cities of Long Beach, in Los Angeles County, and Los Alamitos and Seal Beach in Orange County; 33.97 acres are proposed to be transferred from Seal Beach to Long Beach, 3.83 acres are proposed to be transferred from Long Beach to Seal Beach, 37.84 acres are proposed to be transferred from Long Beach to Los Alamitos, and 2.17 acres of unincorporated Orange County territory are proposed to be transferred to Long Beach. The respective cities will be initiating proceedings before their respective LAFCOs while the boundary change proceeds concurrently, and will request that their LAFCOs condition their approvals subject to completion of the boundary change proceeding and concurrent recordation of all documents effectuating the boundary changes and city reorganizations. LAFCO will also need to address various special district boundaries impacted by this proposed county boundary change.

Unless the boundary change proceeding is abandoned after the public hearing, we expect to return to your Board with a negotiated tax transfer resolution for the LAFCO reorganizations when the proposed ordinance approving the boundary change is presented. Los Angeles LAFCO has agreed to waive all of its application fees for the proposed reorganizations.

County Counsel has approved the resolution as to form.

#### **ENVIRONMENTAL DOCUMENTATION**

Your Board's adoption of the attached resolution is a ministerial action required by statute that does not constitute a project under the California Environmental Quality Act (CEQA). If the proposed boundary change is not abandoned after the public hearing, we will return to your Board for consideration of an appropriate CEQA determination at the time an ordinance approving the boundary change is presented for your approval.

## **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The impact on current County services will be analyzed and reported at or before the public hearing.

#### CONCLUSION

At such time as the recommendation is approved by your Board, please return one copy of this letter, the Resolution and the Notice of Public Hearing to the Chief Executive Office, Office of Unincorporated Area Services.

Respectfully submitted,

WILLIAM T FUJIOKA Chief Executive Officer

WTF:RLR DSP:TMH:acn

Attachment (1)

c: Sheriff
Executive Office, Board of Supervisors
County Counsel
Auditor-Controller
Fire
Public Works
Regional Planning
Treasurer and Tax Collector

# RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, SETTING HEARING FOR CONSIDERATION OF PROPOSED BOUNDARY CHANGES BETWEEN THE COUNTY OF LOS ANGELES AND THE COUNTY OF ORANGE

WHEREAS, the County of Orange Board of Supervisors has initiated proceedings for boundary line changes between the County of Los Angeles and the County of Orange pursuant to the provisions of California Government Code section 23200 et seq. pursuant to Resolution 11-028 dated March 1, 2011 ("County of Orange Resolution") attached hereto; and

WHEREAS, the boundary changes would transfer real property shown in Attachment I in the County of Orange Resolution between the County of Los Angeles and the County of Orange; and

WHEREAS, the Board of Supervisors of the County of Orange, as the initiating county, has filed the Orange County Resolution with this Board, as required by California Government Code section 23204; and

WHEREAS, California Government Code section 23206 requires that, within thirty (30) days of receiving a resolution requesting a boundary change, this Board adopt a resolution that (a) sets a time, date, and place for a public hearing on the proposed boundary change, which date shall not be less than thirty (30) days nor more than (60) days from the date of this resolution, and (b) states that any person may appear and be heard at the subject hearing and/or file a written protest to the proposal; and

WHEREAS, all legal preconditions to the adoption of this resolution have occurred,

**NOW**, **THEREFORE**, **BE IT RESOLVED** by the Board of Supervisors of the County of Los Angeles that:

- 1. The public hearing on the boundary change proposals as described by the County of Los Angeles shall be held on May 10, 2011 at 9:30 a.m. at the Hearing Room of the Board of Supervisors, Room 381B, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California, 90012.
- 2. All interested members of the public may appear and be heard on this matter. Any person desiring to protest against the proposal may file a written protest with the Board by delivering it to the Executive Office of the Board, Room 383, Kenneth Hahn Hall of Administration, 500 W. Temple Street, Los Angeles, California 90012. Any written protest by a resident-voter shall contain the address of the voter. Any written protest by a property owner shall contain a description sufficient to identify the property owned by such owner.
- 3. At the public hearing, the Board shall hear and consider the testimony of interested persons and receive and consider any oral or written protests to the proposed boundary change.
- 4. The Clerk of the Board is directed to publish notice of the hearing as required by section 6061 of the Government Code, at least fifteen (15) days prior to the date set for the hearing, in each of the following places; the affected areas, the County of Orange, and the County of Los Angeles. The Clerk of the Board is also directed to mail notice of the hearing to

## Resolution of the Board of Supervisors Page 2

the Board of Supervisors of the County of Orange, the affected cities, each special district and school district within the affected territory, to the local agency formation commissions of the County of Orange and the County of Los Angeles, and to any person who has filed a written request for special notice.

The foregoing resolution was on the 5th day of April, 2011, adopted by the Board of Supervisors of the County of Los Angeles and ex-officio for the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.



SACHI A. HAMAI, Executive Officer-Clerk of the Board of Supervisors of the County of Los Angeles

Ву

Deputy

APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN

County Counsel

By

Deputy

# **NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be regarding a boundary change proposal that would County of Los Angeles and County of Orange for Long Beach, Seal Beach, and Los Alamitos, described shown on Attachment I, which is on file in the Said hearing will be held on at 9:3 of the Los Angeles County Board of Superviso Hall of Administration, 500 West Temple Street, Los Angeles County Board of Supervisory	transfer jurisdiction between the seven (7) areas in the cities of d in more detail in Exhibit A and as Executive Office, of the Board. 30 a.m. in the Hearing Room rs, Room 381B, Kenneth Hahn
All interested members of the public may appear Any person desiring to protest against the proposal Board by delivering it to the Executive Office of the Hall of Administration, 500 West Temple Street, Any written protest by a resident-voter of the area contain the address of the voter. Any written protest shall contain a description sufficient to identify the pro	may file a written protest with this Board, Room 383 Kenneth Hahn Los Angeles, California 90012. proposed to be transferred shall by a property owner of such area
At the public hearing, the Board shall hear and copersons and receive and consider written protests to the state of the st	nsider the testimony of interested the proposed boundary changes.
For additional information please call the Customer 5 Translation devices are available in Spanish upon r than Spanish, please call the Customer Service Center between the hours of 8:00 a.m. and 5:00 p.m., Monda days prior to the hearing.	equest. For any languages other er for assistance at (213) 974-1411
Equipo para traducción esta desponible para la Por favor pidan este servicio antes de la reunion públ	s personas que hablan Español. ica al (213) 974-1411.
	Sachi A. Hamai, Executive Officer Executive Officer-Clerk of the Board of Supervisors
Ву	
	Sachi A. Hamai Executive Officer

Summary of Los Angeles County-Orange County Boundary Changes

**EXHIBIT A** 

AREA	DESCRIPTION	ACREAGE	AREA MOVED FROM CITY TO CITY	
1	Area includes a small portion of Long Beach Harbor (west side of rock jetty) and Khoury's Parking Lot.	10.54	Seal Beach to Long Beach	
2	Area includes bike path located along the San Gabriel River channel north of Marina Drive bridge.	1.05	Seal Beach to Long Beach	
3	Area includes portion of Seal Beach Trailer Park and parking lot behind the Oakwood Apartments and eastern edge of the San Gabriel River.	3.83	Long Beach to Seal Beach  Seal Beach to Long Beach	
4	Area along the west edge of Hellman Ranch near Haynes Plant cooling water outfall.	4.97		
	College Estates park area that includes tennis court, park area (unincorporated Orange County) and west side of the San Gabriel River channel.	2.17	County of Orange to Long Beach	
5		17.41	Seal Beach to Long Beach	
6	Area includes vacant parcel east of flood control channel.	36.53 Long Beach to Los Alamitos		
7	Area includes Stansbury Park and rear portions of five (5) residential parcels along Toland Avenue.	1.31	Long Beach to Los Alamitos	



## **Modification Memo**

February 23, 2011

To:

Darlene J. Bloom, Clerk of the Board of Supervisors

From:

Thomas G. Mauk, County Executive Officer

Subject:

Revision to ASR 11-000021 for the March 1, 2011 Board Meeting

Agenda Item #48 - County Boundary Adjustment

Explanation: Changes to the Background Information are made in red:

#### **Background**

In 2009, LAFCO held informational discussions with various Orange County and Los Angeles County cities and the County of Orange, along the Coyote Creek Flood Control Channel regarding potential boundary adjustments (see Boundary Report). The primary reason for exploring change is that these cities have territory that are only accessible through another jurisdiction (i.e. a neighboring city in the adjacent county).

The Cities of Seal Beach, Long Beach, and Los Alamitos (Cities) have decided to move forward and been working cooperatively with representatives from Los Angeles and Orange Counties and both LA and OC LAFCOs in considering adjusting the County boundaries and City limits to: (1) Recognize the physical barriers created by the Los Coyotes Flood Control Channels and the 605 Freeway; (2) Clarify jurisdictional boundaries; and (3) Distinguish service delivery boundaries and responsibilities. As a result, all Cities have agreed to proceed with boundary adjustment of various territory within their jurisdiction. In addition, Los Angeles County Supervisor Don Knabe fully supports the proposal.

The total area affected by the boundary adjustment is 77.81 acres, including 33.97 acres proposed to be transferred from Seal Beach to Long Beach, 3.83 acres proposed to be transferred from Long Beach to Seal Beach, 37.84 acres proposed to be transferred from Long Beach to Los Alamitos, and 2.17 acres proposed to be transferred from Orange County to the City of Long Beach. All affected territory is uninhabited. (There are some split residential lots in Los Alamitos that will be entirely in Orange County after the boundary adjustment.)

The proposed boundary changes are considered minor as they will not move the County line by more than five (5) miles from its original location nor will it reduce the area of either affected county by more than five (5) percent.

#### A detail summary of the adjustments is provided below (see Area Maps):

Area	Description	Acreage	OCGain/Loss (+/-)	Area Moved from City/to City
1	Area includes a small portion of Long Beach Harbor (west side of rock jetty) and Khoury's Parking Lot	10.54		Seal Beach to Long Beach
2	Area includes bike path located along San Gabriel River channel north of Marina Drive bridge	1.05	*	Seal Beach to Long Beach
3	Area includes portion of Seal Beach Trailer Park and parking lot behind Oakwood Apartments and eastern edge of San Gabriel River	3.83	+	Long Beach to Seal Beach
4	Area along west edge of Hellman Ranch near Haynes Plant cooling water outfall	4.97	-	Seal Beach to Long Beach
5	College Estates Park area that includes tennis court, park area (unincorporated Orange County) and west side of the San Gabriel	2.17		County of Orange to Long Beach
	River channel	17.41	 	Seal Beach to Long Beach
6	Area includes vacant parcel east of flood control channel	36.53	+	Long Beach to Los Alamitos
7	Area includes Stansbury Park and rear portions of 5 residential parcels located along Toland Ave	1.31	+	Long Beach to Los Alamitos

41.67	+	Net Gain in OC Areas
<u>36.14</u>		Net Loss in OC Areas
77.81	Total Acreage	

Upon the Board's approval, a copy of the resolution will be sent to Los Angeles County Board of Supervisors for their required action to set a public hearing on the boundary adjustment. Additional items for your Honorable Board will include conducting a public hearing and adoption of an ordinance approving the proposed boundary change. It is anticipated that completion of this process will occur in Summer/Fall 2011.

#### **CEQA Analysis:**

This action is an annexation or reorganization of existing facilities and lots containing existing structures developed as allowed by the current zoning and is therefore exempt from CEQA as provided in CEQA Guidelines Section 15319 (see attached documentation).

# BOUNDARY CHANGE RESOLUTION OF THE BOARD OF SUPERVISORS OF ORANGE COUNTY, CALIFORNIA

#### March 1, 2010

WHEREAS, the Orange County Board of Supervisors is proposing, pursuant to Article 4 of Chapter 2 of Division 1 of Title 3 of the California Government Code, to make changes to seven (7) areas in the boundary line between the County of Orange and the County of Los Angeles so as to cause the transfer of land as depicted in Exhibit A from Los Angeles County to Orange County and from Orange County to Los Angeles County; and

WHEREAS, the proposal includes changes to the boundary line between the County of Orange and the County of Los Angeles. This proposal is processed pursuant to Article 4, Chapter 2, Division 1 of Title 3 of the Government Code (Section 23200 et seq). The proposal also includes a detachment from the City of Seal Beach, detachments from the City of Long Beach, annexations to the City of Long Beach, annexation to the City of Seal Beach and annexation to the City of Los Alamitos. These proposals are processed pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et seq). All proposals are linked and no proposal shall be effective until all proposals are effective. The two county ordinances shall state that they shall not become effective until every city change of organization is effective. Each city change of organization shall not become effective until all city changes of organization are recorded and the two county ordinances are effective.

WHEREAS, the total area affected by the proposed boundary adjustment is 77.81 acres, including 32.92 acres proposed to be transferred from Seal Beach to Long Beach, 4.88 acres proposed to be transferred from Long Beach to Seal Beach, 37.84 acres proposed to be transferred from Long Beach to Los Alamitos, and 2.17 acres proposed to be transferred from Orange County to the City of Long Beach; and

WHEREAS, the proposed boundary line changes will not result in any boundary line being moved more than five miles from its original location; and WHEREAS, the proposed boundary line changes will not reduce the area of either Los Angeles or Orange County by more than five percent and does not include territory which is currently inhabited; and

WHEREAS, the proposed boundary line changes are being made pursuant to Government Code Section 23200 et seq.; and

WHEREAS, the affected territories in both Counties involved in the proposed boundary change are uninhabited; and

WHEREAS, the reasons for the proposal are to: provide for placement of territory into the boundaries of appropriate local agencies which can most easily regulate, administer and provide government services to the areas in a manner which will (1) recognize the physical barriers created by the Coyote Creek Channel, (2) clarify jurisdictional boundaries, and (3) distinguish service delivery boundaries and responsibilities and will allow for better service delivery and improved public safety.

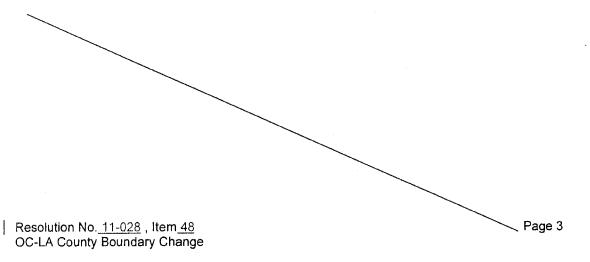
WHEREAS, it is anticipated that the Local Agency Formation Committees of Los Angeles and Orange Counties will contemporaneously consider changes in organization by the cities of Seal Beach, Los Alamitos and Long Beach which will reflect the results of the changes in boundaries of the County of Los Angeles and the County of Orange.

NOW, THEREFORE, BE IT RESOLVED that the Orange County Board of Supervisors on behalf of the initiating County, the County of Orange, requests that the Los Angeles County Board of Supervisors take further proceedings pursuant to Government Code Section 23206 on behalf of the conducting County, the County of Los Angeles, in this matter as provided by law and that this Resolution be filed with the Board of Supervisors of Los Angeles County. The proposal is subject to the following terms and conditions:

1. An accurate and complete legal description of the proposed new boundary lines related to the affected territory will be prepared by the Los Angeles Local Agency Formation Commission (LA LAFCO) and submitted for inclusion in the ordinances required by Government Code Section 23210. LA LAFCO will perform or have performed a field survey and will monument the new County Boundary lines and file a record of survey and with the concurrence of the Orange and Los Angeles County Surveyors.

- 2. The Counties of Orange and Los Angeles shall assert no claims of liability against one another for any defects or conditions that may exist at the time of the proposed boundary line changes become final with respect to each affected territory regarding matters affecting: (1) boundaries, surveys, maps and monuments; (2) property tax assessments, liens, and collections; (3) indexing and recordation of documents; (4) land use and zoning; (5) building standards and inspections; (6) police, fire, health and safety regulations and enforcement; and (7) geological and environmental conditions. The foregoing shall not apply to any claims or liability for any defects arising from the intentional or negligent tortuous conduct of the officers, agents and employees of either county occurring prior to the time the proposed boundary line changes become final.
- 3. Each county shall cooperate with the other as regards the duties imposed by California Government Code Sections 23211 through 23220, inclusive.
- 4. The County of Orange and the County of Los Angeles shall each waive any fee charges or other consideration related to the processing of the boundary change.

BE IT FURTHER RESOLVED that the Clerk of the Board is directed to notify the Assessor, Auditor-Controller and County Surveyor of Orange County of this action and to transmit a certified copy of this Resolution to the Board of Supervisors of the County of Los Angeles for further action in accordance herewith.



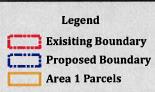
The foregoing was passed and adopted by the following vote of the Orange County Board of Supervisors, on March 01, 2011, to wit:

AYES:	Supervisors:	SHAWN NELSON, BILL CAMPBELL
NOES: EXCUSED ABSTAINE	, ,	SHAWA REESON, BIBB CAMI BBBB
		Bill Cayabell
		CHAIRMAN
STATE OF CAL	JFORNIA )	
COUNTY OF O	)	
	l foregoing Resolu	nent has been delivered to the Chairman of the Board and that ition was duly and regularly adopted by the Orange County
IN WI	TNESS WHERE	OF, I have hereto set my hand and seal.
		DARLÉNE J. BLOOM Clerk of the Board County of Orange, State of California
Resolution No:	11-028	
Agenda Date:	03/01/2011	
Item No:	48	
		I certify that the foregoing is a true and correct copy of the Resolution adopted by the Board of Supervisors, Orange County, State of California DARLENE J. BLOOM, Clerk of the Board of Supervisors  By:  Deputy





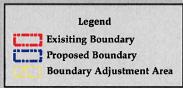
From Orange to Los Angeles County Detachment from Seal Beach & Annexation to Long Beach







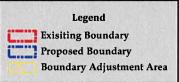
From Orange County to Los Angeles Detachment from Seal Beach and Annexation to Long Beach

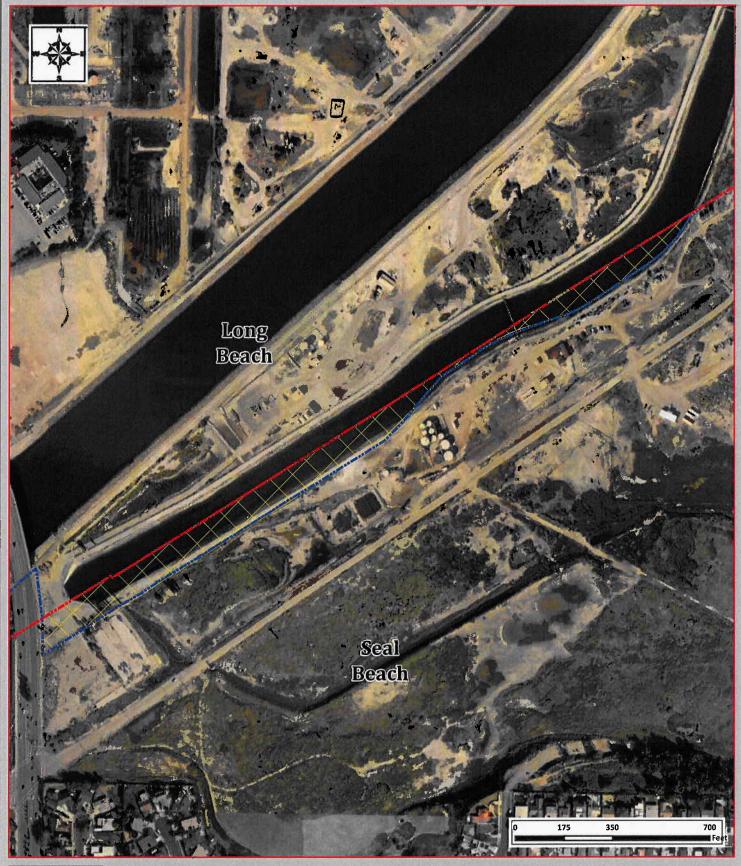






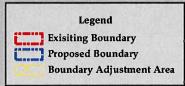
From Los Angeles to Orange County Detachment from Long Beach & Annexation to Seal Beach

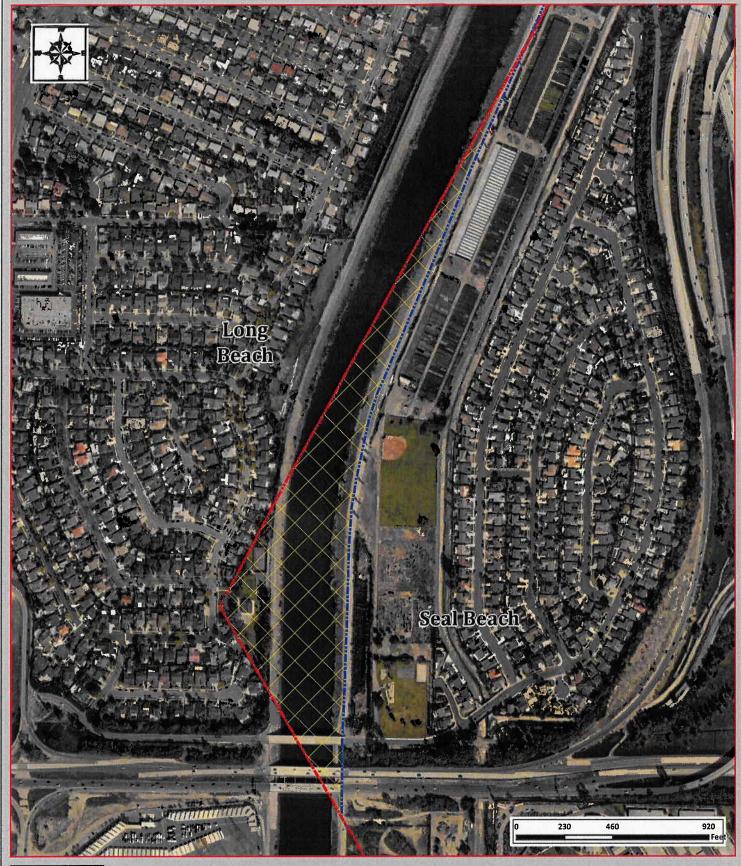






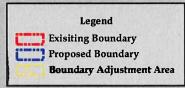
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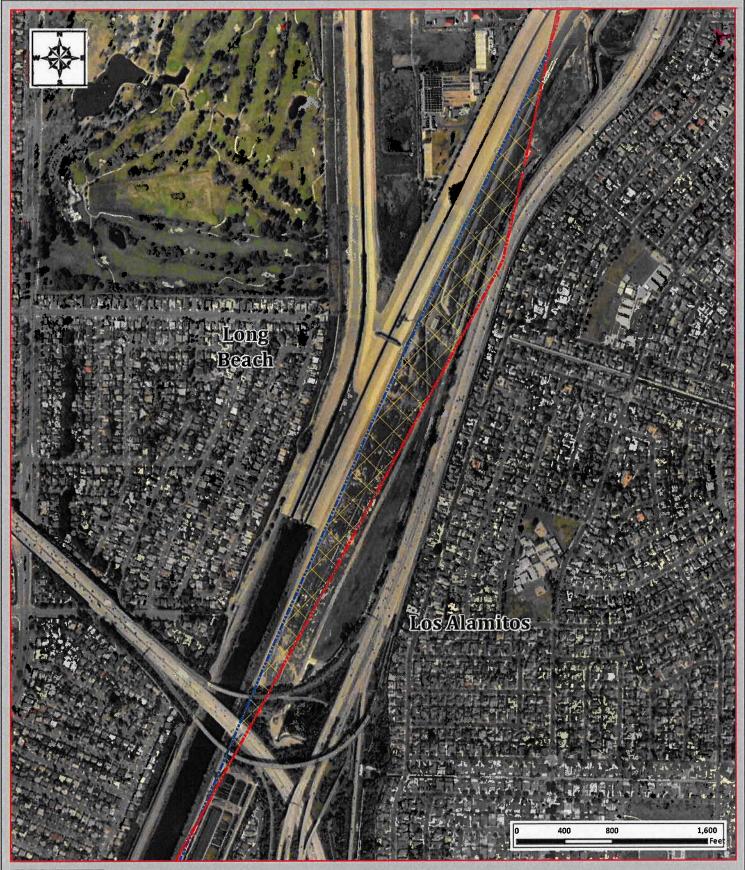






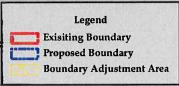
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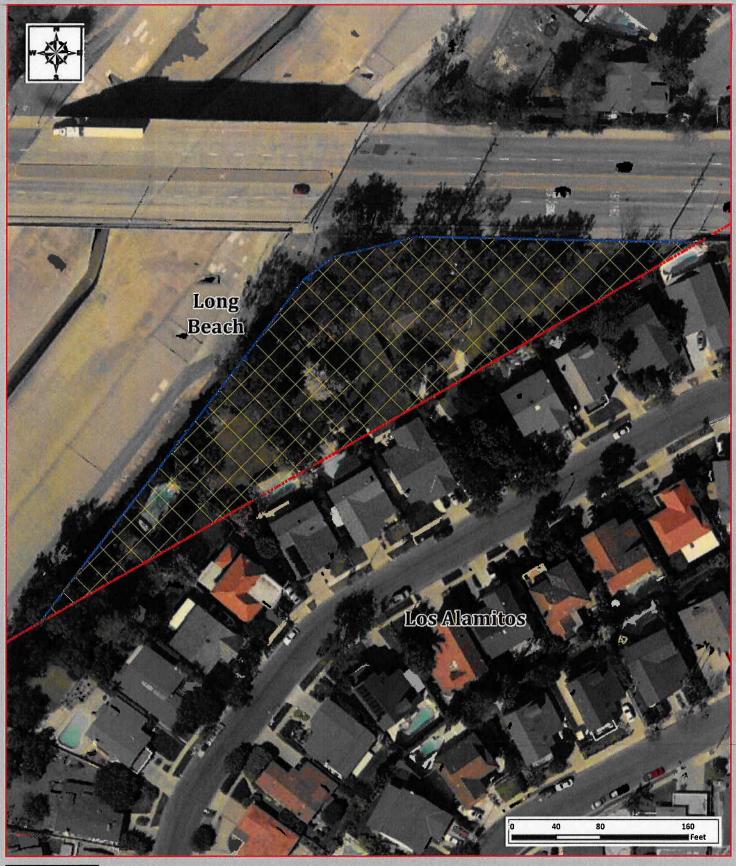






From Los Angeles County to Orange Detachment from Long Beach and Annexation to Los Alamitos







From Los Angeles County to Orange Detachment from Long Beach and Annexation to Los Alamitos

